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EXAMINER

BASOM, BLAINE T

ART UNIT PAPER NUMBER

2173

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,456

Applicant(s)

BAUER ET AL.

Examiner

Blaine Basom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-19,21 and 23 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3-7,9-19,21 and 23 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 13 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION***Response to Arguments***

The Examiner acknowledges the Applicants' amendments to claims 1, 7, 13, 19, 21, and 23. Regarding claims 1, 7, 19, 21, and 23, the Applicants argue that the "My Documents" folder of Berry (U.S. Patent No. 6,466,238), presented in the previous Office Action, is not a "list of predefined default directories," like recited in the claimed invention. The Examiner respectfully disagrees, and considers the My Documents folder of Berry to be a list, specifically comprising one, predefined default directory. Given the broadest, most reasonable definition of a list, it is understood that a list may comprise one or more items. There exist a plurality of examples in the art in support of such a definition (for example, see column 2, lines 6-34 of U.S. Patent No. 6,857,105; or column 2, lines 1-10 of U.S. Patent No. 6,859,556). The Applicants additionally note that the motivation given by the Examiner, to combine Berry with Yagi (U.S. Patent No. 6,393,429), is not supported by any teaching or reference of the prior art. Again, the Examiner respectfully disagrees, and considers the given statement of motivation – that it would have been obvious to modify the file navigation dialog window taught by Yagi to include a section comprising the default folder of Berry, because ... such a default folder may be easily checked to access the document – to be proper and supported by the prior art, as Berry specifically teaches that a default folder is used to efficiently access a document (for example, see column 1, line 43 – column 3, line 7). The Applicants' arguments have thus been considered, but are not persuasive.

Specifically regarding claim 13, the Applicants argue that combining Yagi with Windows NT 4.0 (described by Jacquelyn Gavron and Joseph Moran in the book entitled How to Use

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Windows NT 4 Workstation) would change the functionality of Windows NT, and render the prior art unsatisfactory for its intended purpose with respect to the right click functionality. The Examiner respectfully disagrees. The Exhibit provided by the Applicants shows that a menu, instantiated upon right-clicking on a folder within the Windows NT Explorer window, comprises options such as “Cut,” “Copy,” “Send to,” “Rename,” “Delete,” “Create Shortcut,” and “Properties.” Yagi teaches that, *in addition to such options*, also listing predefined default directories, recently access directories, and/or default directories into which to move or copy the selected folder (for example, see figure 13). The Examiner thus maintains that modifying the Windows NT menu *to additionally* comprise these directories does not change the functionality of Windows NT, since the directories are listed in addition to any existing options within the menu, and since the directories themselves relate to options by which to act upon the selected file – the directories are specifically locations by which to move or copy the selected file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-5, 7, 10-11, 19, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,429, which is attributed to Yagi et al. (and hereafter referred to as “Yagi”), and also over U.S. Patent No. 6,466,238, which is attributed to Berry et al.

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(and hereafter referred to as “Berry”). In general, Yagi presents a “file handling device,” which is intended to reduce the time and effort required to select a file within a file directory structure (see column 2, line 66 – column 3, line 4). Consequently, Yagi is considered to teach a method of entering a new file directory on a computer.

With respect to claim 1, figures 9(A) and 9(B) present a graphical user interface implementing the file-handling device taught by Yagi. Figure 9(A) more specifically shows a “file selection” screen which is used to find and open a particular file (see column 10, lines 61-66). It is understood that when this file selection screen is first opened, the contents of a current folder are displayed in a “list box” within the screen (see column 10, lines 11-16). As designated by reference number 82, this file selection screen contains a “Browse” button which when selected, results in the display of the “folder tree screen” shown in figure 9(B) (see column 10, line 66 – column 11, line 5). As shown in figure 9(B), the folder tree screen is divided into a plurality of sections, wherein of particular relevance to the claimed invention, one section displays an ordinary folder tree, a second section displays user-defined folders, and a third section displays recently accessed folders (see column 11, lines 5-9). Yagi discloses that by using a “display item setting” screen, one may choose whether to display the recently accessed folders section and the user-defined folders section, in addition to specifying which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). Yagi thus teaches that the folder tree screen comprises a section, namely the user-defined folders section, which comprises at least one user-selected directory; and another section, namely the recently accessed folders section, which comprises a last used directory. Yagi further discloses that if a folder in any of these sections is selected, the content of that folder is displayed in the file

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selection screen of figure 9(A) (see column 11, lines 10-16). Consequently, it is understood that Yagi teaches: displaying a file navigation icon, namely a Browse button; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this browse button, and wherein this folder tree screen comprises a plurality of sections, specifically a recently accessed folders section comprising a last used directory, and a user-defined folders section comprising at least one user selected directory, wherein each of these sections includes at least one directory, i.e. folder; and, displaying the contents of a folder in response to the selection of the folder in the folder tree screen. Yagi, however, does not explicitly disclose that the folder tree screen has a section comprising a list of predefined default directories, wherein as recited in claim 1, there is no restriction as to the storage locations of the predefined default directories.

Similar to Yagi, Berry discusses a file management system, which organizes the various files and folders, i.e. directories, within a computer system (see column 1, line 54 – column 2, line 12). Regarding the claimed invention, Berry describes a default folder, in which files from a plurality of applications are automatically stored (see column 2, lines 13-62). Along with a list of recently-accessed files, this default folder may be displayed in a file access window, which like the file navigation dialog window of Yagi, allows quick access to a plurality of files and folders (see column 9, lines 26-42). This default folder is considered a predefined default directory, like recited in the claimed invention, and therefore Berry is considered to teach a list of predefined default directories, specifically comprising only this default directory. As the list comprises only this one default directory, it is understood that there are no required pre-defined hierarchical relationships between the predefined default directories in the list. Lastly, Berry

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discloses that there is no restriction of the storage location of the default folder (see column 10, lines 1-29).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Yagi and Berry before him at the time the invention was made, to modify the file navigation dialog window taught by Yagi to include a section comprising the default folder of Berry. It would have been advantageous to one of ordinary skill to utilize such a combination, because if the pre-specified and recently accessed files and folders of the dialog window lack the document desired by the user, such a default folder may be easily checked to access the document, as is taught by Berry.

Regarding claim 19, Yagi teaches implementing the above-described method as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the above-described method of Yagi and Berry is considered a computer program product, like that recited in claim 19, which is for entering a new file directory.

Regarding claim 23, Yagi teaches implementing the above-described method on a computer (see column 6, lines 14-24). Consequently, such a computer implementing the above-described method of Yagi and Berry is considered an apparatus, like that recited in claim 23.

Concerning claim 7, the above-described method taught by Yagi and Berry comprises: displaying a file open window, namely a file selection screen, wherein this file selection screen includes a file navigation icon, specifically a Browse button, and wherein the contents of a first directory, i.e. a current folder, are displayed in the file selection screen; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this browse button, and wherein this folder tree screen comprises a plurality of

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sections, specifically section comprising a predefined default directory having no restriction on its storage location, a recently accessed folders section comprising a last used directory, and a user-defined folders section comprising at least one user selected directory, wherein each of these sections includes at least one directory, i.e. folder; and lastly, displaying the contents of a folder in response to the selection of the folder in the folder tree screen, whereby there is no predefined hierarchical relationship between the first directory and this folder.

Regarding claim 21, Yagi teaches implementing the above-described method as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the above-described method of Yagi and Berry is considered a computer program product, like that recited in claim 21, which is for entering a new file directory.

Regarding claims 4 and 10, Yagi discloses that the style and content of the folder tree screen, i.e. the file navigation dialogue window, is based on user input into a display item setting screen (see column 7, line 66 – column 8, line 14). Also, Yagi discloses that the above-described method of displaying a folder tree screen is applied to an entire operating system, as apposed to a single application or document (see column 6, lines 10-13). Consequently, it is interpreted that the style and content of the folder tree screen is independent of the current document context.

In reference to claims 5 and 11, the folder tree screen put forth by Yagi comprises a plurality of sections, wherein as shown above, one such section displays the last used directory, i.e. folder. Thus anytime that a folder is accessed but is not in this section, the folder is added to the section, as is expressed by Yagi (see column 1, lines 34-40). As there are a set number of folders that may be displayed in this section, if the section is full and a new folder has to be added, the oldest folder is removed from the section. Consequently, the section always

maintains the *last* accessed folder. It is therefore understood that, because the section maintains a list of the recently used folders, which includes the last accessed folder, the section contains the latest used folders that would be accessed in the present computer or network session.

Claims 3, 6, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yagi and Berry, which is described above, and also over U.S. Patent No. 6,370,549, which is attributed to Saxton. As shown above, Yagi discloses a method and graphical user interface like that of claims 1 and 7, wherein a folder tree screen, i.e. a file navigation dialog window, is displayed. As shown above, this folder tree screen is comprised of a plurality of sections; a first section comprises a list of predefined default directories; a second section, namely a user-defined folders section, comprises at least one user selected directory; and a third section, namely a recently accessed folders section, comprises a last used directory. Yagi however does not explicitly disclose that the default directory section contains a document templates directory, as is recited in each of claims 3 and 9. Furthermore, Yagi teaches that by using a display item setting screen, one may specify which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). It is thus understood that a user may choose any folder on the user's computer to display in this section. However, and in regard to the claimed invention, Yagi does not explicitly teach that this section includes a shared user directory accessible to a plurality of users, as is expressed in each of claims 6 and 12.

Like Yagi, the U.S. Patent of Saxton concerns the efficient access of files and folders within a file directory structure (see column 2, lines 7-12). Concerning the claimed invention, Saxton provides an illustration of such a directory structure, the illustration being shown in

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figure 2a. This directory structure displays a hierarchical list of files and folders. Moreover, this directory structure includes a “templates” directory, which is designated by reference number 220, and which is interpreted to be a document templates directory. Also, the directory structure shown by figure 2a includes a “shared files” directory, which is designated by reference number 204, and which is interpreted to be a shared user directory accessible to a plurality of users. The uses and benefits of document templates, as well as shared files, are known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Yagi, Berry, and Saxton before him at the time the invention was made, to modify the default directory section and the user-selected directory section presented by Yagi and Berry to respectively include a document templates directory and a shared user directory, as is in the file structure presented by Saxton. It would have been advantageous to one of ordinary skill to utilize such combination because grouping shared files and document templates into directories provides for better file organization and thus faster access to these files, as is demonstrated by Saxton.

Claims 13, 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows NT 4.0, as described by Jacquelyn Gavron and Joseph Moran in the book entitled *How to Use Windows NT 4*, and also over U.S. Patent of Yagi, which is described above. As disclosed by Gavron and Moran, Windows NT 4.0 is an operating system comprising a “Windows NT Explorer” window, which allows the user to view the files and folders contained within a particular disk of the user’s computer system (see pages 48-49, “steps” 1-4). This Windows NT Explorer window is considered a “file open” window, like that of the present

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application, as it is used to find and open specific files. Furthermore, the Windows NT Explorer window comprises a directory content window, specifically a right pane, which comprises icons representing the files and folders within a particular directory (see “step” 4, on page 49). Gavron and Moran disclose that double-clicking on such a folder icon results in the contents of that directory being displayed within the directory content window (see “step” 4, on page 49). Thus Windows NT comprises a file open window which further comprises a directory content window, and a folder icon. This folder icon is considered a “file navigation icon,” like that of claim 13, since the content of the directory represented by the folder is displayed within the directory content window in response to a particular action upon the icon. Gavron and Moran, however, don’t explicitly disclose that a second action may be performed on this file navigation icon, the second action resulting in the display of a file navigation dialog window, as is recited in claim 13.

Like the Windows NT Explorer window described above, Yagi presents an Explorer window, which allows the user to view the files and folders contained within a particular disk of the user’s computer system. This explorer window particularly comprises a right pane, which like that of Windows NT, lists the files and folders within a particular directory (see figure 13, in addition to column 13, lines 42-62). Yagi particularly discloses that by right-clicking on one of these folders, a menu is displayed which presents a plurality of options, such as for opening the folder, and particularly, for copying the folder into a pre-specified or recently accessed folder (see figure 13, and column 13, lines 42-62). It is understood that such a menu may additionally comprise an ordinary folder tree, similar to that of figure 9(B), comprising a list of directories into which the selected folder may be copied or moved. Such directories are considered “default

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directories,” like recited in the claimed invention, and whereby since it is understood that these default directories may be located anywhere on the user’s computer, there is no restriction on storage locations of the default directories. As this menu of Yagi may be used to open a folder, or move a file into a particular folder, this menu is considered a “file navigation dialog window,” like that recited in claim 13.

It would have been obvious to one of ordinary skill in the art, having the teachings of Windows NT and Yagi before him at the time the invention was made, to modify the folder icons in the Windows NT Explorer Window such that upon double-clicking on each folder icon, a file navigation dialog window is displayed, as is done in Yagi. It would have been advantageous to one of ordinary skill to utilize such a combination because this file navigation dialog window allows the user to efficiently move files and folders, as is taught by Yagi (see column 13, lines 56-61).

Concerning claim 14, Yagi discloses that a file navigation dialogue window comprises a section having at least one user-selected directory, and another section having a last used directory (for example, see figure 13, in addition to column 13, lines 42-62).

Regarding claim 16, Yagi discloses that the style and content of the file navigation dialogue window is based on user input into a display item setting screen (see column 7, line 66 – column 8, line 14). Also, Yagi discloses that the above-described method of displaying file navigation dialog window is applied to an entire operating system, as apposed to a single application or document (see column 6, lines 10-13). Consequently, it is interpreted that the style and content of the folder tree screen is independent of the current document context.

In reference to claim 17, the file navigation dialog window put forth by Yagi comprises a plurality of sections, wherein as shown above, one such section displays the last used directory, i.e. folder. Thus anytime that a folder is accessed but is not in this section, the folder is added to the section, as is expressed by Yagi (see column 1, lines 34-40). As there are a set number of folders that may be displayed in this section, if the section is full and a new folder has to be added, the oldest folder is removed from the section. Consequently, the section always maintains the *last* accessed folder. It is therefore understood that, because the section maintains a list of the recently used folders, which includes the last accessed folder, the section contains the latest used folders that would be accessed in the present computer or network session.

Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Windows NT and Yagi, which is described above, and also over U.S. Patent No. 6,370,549, which is attributed to Saxton. As shown above, Windows NT and Yagi discloses a graphical user interface like that of claim 14, wherein a file navigation dialog window, is displayed. As shown above, this file navigation dialog is comprised of a plurality of sections; a first section comprises a list of predefined default directories; a second section comprises at least one user selected directory; and a third section comprises a last used directory. Neither Windows NT nor Yagi, however, explicitly disclose that the default directory section contains a document templates directory, as is recited in claim 15. Furthermore, Yagi teaches that by using a display item setting screen, one may specify which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). It is thus understood that a user may choose any folder on the user's computer to display in this section. However, and in regard to the claimed

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invention, Yagi does not explicitly teach that this section includes a shared user directory accessible to a plurality of users, as is expressed in claim 18.

Like Windows NT and Yagi, the U.S. Patent of Saxton concerns the efficient access of files and folders within a file directory structure (see column 2, lines 7-12). Concerning the claimed invention, Saxton provides an illustration of such a directory structure, the illustration being shown in figure 2a. This directory structure, like the ordinary folder tree section of Yagi, displays a hierarchical list of files and folders. Moreover, this directory structure includes a “templates” directory, which is designated by reference number 220, and which is interpreted to be a document templates directory. Also, the directory structure shown by figure 2a includes a “shared files” directory, which is designated by reference number 204, and which is interpreted to be a shared user directory accessible to a plurality of users. The uses and benefits of document templates, as well as shared files, are known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Windows NT, Yagi, and Saxton before him at the time the invention was made, to modify the default directory section and the user-defined directory section taught by Windows NT and Yagi, to respectively include a document templates directory and a shared user directory, as is in the file structure presented by Saxton. It would have been advantageous to one of ordinary skill to utilize such a combination because grouping shared files and document templates into directories provides for better file organization and thus faster access to these files, as is demonstrated by Saxton.

Conclusion

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

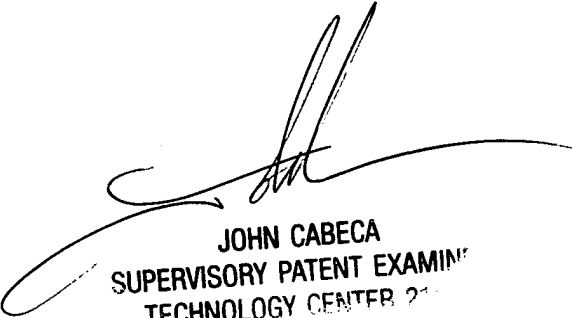
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb



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